

2891.0040 FRAUDULENT, DECEPTIVE, OR DISHONEST PRACTICES.

Subpart 1. **Description.** For the purposes of Minnesota Statutes, section 326B.84, subdivision 1, clause (2), the following acts and practices are considered fraudulent, deceptive, or dishonest practices:

- A. misrepresentation of a material fact by the applicant in obtaining a license;
- B. engaging in false, fraudulent, or misleading advertising;
- C. making any material misrepresentation or omission in the procurement of a building contract;
- D. any fraud or dishonesty in the execution of, or in the material alteration of, any contract, mortgage, promissory note, or other document incident to a building transaction;
- E. conducting a building or remodeling contracting business in any name other than the one in which the contractor is licensed, unless the licensee has filed a certificate of assumed name with the secretary of state and provided a copy of the certificate to the commissioner;
- F. contracting or offering to contract while the license is revoked, under suspension, or inactive for any reason;
- G. knowingly contracting for, or performing, a service beyond the scope of the license; or
- H. performing any construction without obtaining applicable local building permits and inspections.

Subp. 2. **Nonlimitation of authority.** Nothing in this part limits the authority of the commissioner to take action against a licensee for fraudulent, deceptive, or dishonest practices not specifically described in this part.

Statutory Authority: *MS s 45.023; 326.87; 326.98; 326B.821*

History: *18 SR 1471; L 2007 c 140 art 8 s 30; art 13 s 4*

Published Electronically: *July 31, 2007*